

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION  
Civ. No. 5:19-cv-00576-BO

SYLVIA CRISP-WILLIAMS, )  
 )  
 Plaintiff, )  
 )  
 v. )  
 )  
 KILOLO KIJAKAZI, ) ORDER  
 Acting Commissioner of Social  
 Security )  
 )  
 Defendant. )  
 )  
 )

Plaintiff's counsel filed a motion for approval of attorney's fees under section 206(b) of the Social Security Act (the "Act"), 42 U.S.C. § 406(b), in the amount of \$12,954.25 (Doc. 30). Attorney's fees under section 206(b) are paid from past-due benefits awarded to a successful claimant. 42 U.S.C. § 406(b). Plaintiff has previously been awarded attorney's fees under the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412, in the amount of \$6,500.00 (Doc. 29).

Defendant filed a response, stating that under *Gisbrecht v. Barnhart*, 535 U.S. 789 (2002), it is the duty of the Court to determine a reasonable fee.

It is ORDERED that Plaintiff's counsel be awarded fees under section 206(b) of the Act, 42 U.S.C. § 406(b), in the amount of \$ 12,954.25, and refund to Plaintiff the smaller award between this amount and the EAJA award.

SO ORDERED, this 22 day of September, 2021.

Terrence Boyle  
TERRENCE BOYLE  
UNITED STATES DISTRICT JUDGE